

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

EDGAR ENCARNACION-LAFONTAINE,

Defendant.

13-cr-30-1 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.

Before the Court is defendant Edgar Encarnacion-Lafontaine's pro se motion for a sentence reduction under Amendment 821 to the Sentencing Guidelines. ECF No. 211. Mr. Encarnacion-Lafontaine argues he is entitled to a reduction in his sentence under Amendment 821 because his criminal history score was zero. However, Mr. Encarnacion-Lafontaine is ineligible for resentencing under Amendment 821 because he "used violence or credible threats of violence in connection with committing his offense of conviction." Gov't Opp'n Mem. at 1-2, ECF No. 216; Amendment 821 Suppl. Presentence Investigation Report at 3, ECF No. 215. Accordingly, the Court denies Mr. Encarnacion-LaFontaine's motion for a sentence reduction. The Clerk of Court is respectfully directed to close docket entry number 211.

SO ORDERED.

Dated: New York, NY

February 16, 2024


JED S. RAKOFF, U.S.D.J.